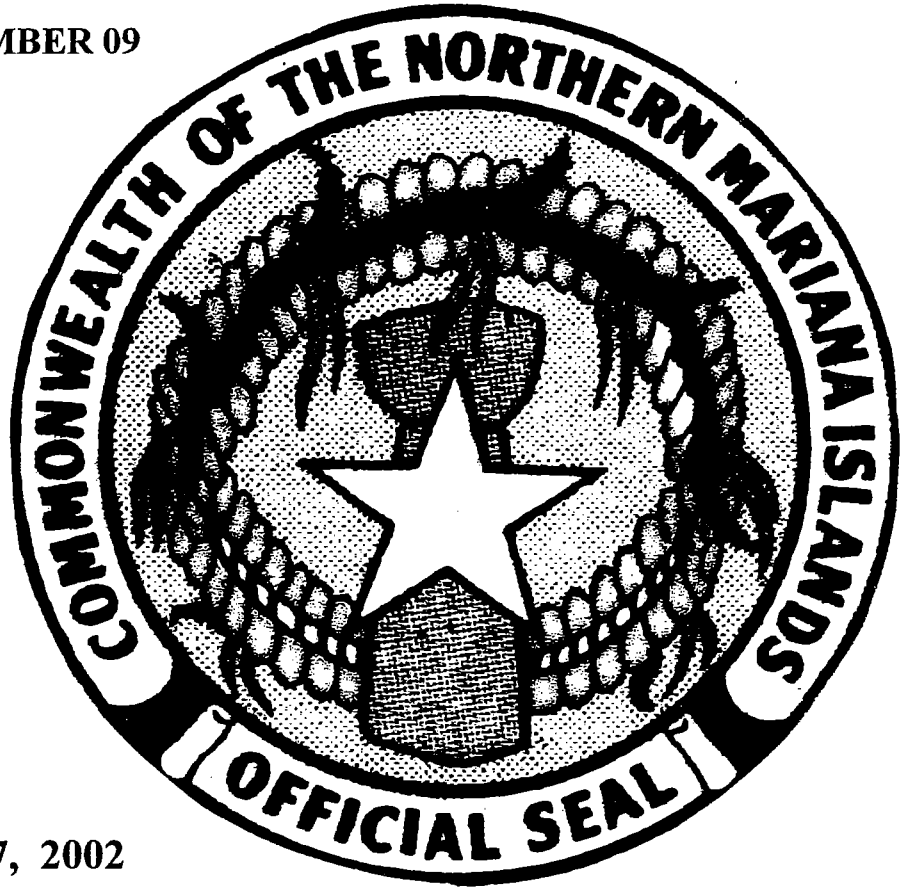


COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
SAIPAN, MARIANA ISLANDS 96950

VOLUME 24 NUMBER 09



SEPTEMBER 27, 2002

COMMONWEALTH

REGISTER

COMMONWEALTH REGISTER

Volume 24 Number 09

SEPTEMBER 27, 2002

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PUBLIC NOTICE


PROPOSED BOARD OF EDUCATION REGULATION REGARDING ALTERNATIVE LEARNING PROGRAMS

The Board of Education for the Commonwealth of the Northern Mariana Islands hereby notifies the general public of its intention to adopt a regulation regarding alternative learning settings. This regulation is attached and is promulgated pursuant to the authority provided by Article XV of the CNMI Constitution and Public Law 6-10.

All interested persons may examine the proposed regulation and submit written comments, positions, or statements for or against the proposed amendments to the Chairman, Board of Education, P.O. Box 1370 CK, Saipan, MP 96950 or by facsimile to 664-3711 within thirty (30) calendar days following the date of the publication of this Notice in the Commonwealth Register.

Dated this 19th day of September 2002, at Saipan, Northern Mariana Islands.

BOARD OF EDUCATION

By: 
ROMAN C. BENAVENTE
Acting Board of Education Chairperson

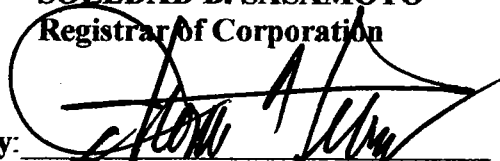
Pursuant to 1 CMC Section 2153, as amended by Public Law 10-50, the proposed Board of Education regulation, a copy of which is attached hereto, has been reviewed and approved as to form and legal sufficiency by the Attorney General's Office.

for  AAG
RAMONA V. MANGLONA
Deputy Attorney General

Date: 9-20-02

Filed By: 
SOLEDAD B. SASAMOTO
Registrar of Corporation

Date: 9/24/02

Received By: 
THOMAS TEBUTEB
Special Assistant for Administration

Date: 9-24-02

NUTISIAN PUPBLIKU


**PRONOPONEN RIBISION GI REGULASION OTRO MANERAN
MAMANAGUEN LEKSION KUETPON EDUKASION**

I Kuetpon Edukasion Commonwealth I Sumangkattan Siha Na Islas Marianas, ginen este, ha infotoma I pupblikun hineran put intension-na para u ribisa I regulasion otro maneran mamananuen leksion. I maproprone siha na amendasion manna cho'gue sigun gi aturidat Attilulu XV Kanstitusion CNMI, Lai Pupliku 6-10 yan I CNMI Administrative Act.

Todo ayu siha I man interesante siha na petsona sina ma eksamina I maproprone siha na amendasion ya hu ma satmiti halom komento put pusision, sinangan kao mafabot pat makontra I maproprone siha na amendasion ya u manahanao guatu para Kabesiyon Kuetpon Edukasion, P.O. Box 1370 CK, Saipan, MP 96950 pat sino gi facsimile numero 664-3711 gi halom trenta dias (30) dispues di mapublika este na Nutisia ge Rehistran Commonwealth.


Mafecha guine mi mina' 19th na dia guine na mes Septiembre, 2002
giya Saipan, I Sumangkattan Siha Na Islas Marianas.

KUETPON EDUKASION

Ginen:  9-19-02
ROMAN C. BENAVENTE Date
Acting Kabesiyun, Kuetpon Edukasion

Sigun gi 1 CMC Section 2153 ni ma amenda gi Lai Pupliku 10-50 I maribisa na regulasion ni maproprone para u amenda otro siha na regulasion Kuetpon Edukasion guaha koopia chechetton guine, esta manmaribisa yan apreba ginen Ofisinaa Abugadon Henerat.

Ginen as :  Fecha: 9-20-02
RAMONA V. MANGLONA
for Deputy Attorney General

Pine'lo as :  Fecha: 9/24/02
SOLEDAD B. SASAMOTO
Rehistradoran Kotporasion

Rinisibi as :  Fecha: 9-24-02
THOMAS A. TEBUTEB
Espisiat Na Ayudanten Administration

ARONGORONGOL TOULAP


**POMWOL FFÉÉRÚL LLIWEL MELLÓL AUTOL ALLEGHÚL
PROGRÓMAAL BOARD OF EDUCATION**

Board of Education-il Commonwealth e arongaar toulap bwe ekke pomwoli bwe ebwe ayoora eew alléghúl masamasal akkabwung. Allegh yeel re kke mángi rebwe ayoora nge re fféerú sángi bwángil Tálil XV llól CNMI Constitution, Alleghúl Toulap 6-10 me llól CNMI Administrative Act.


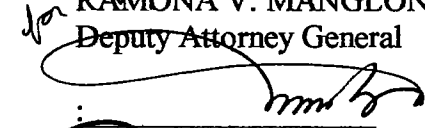
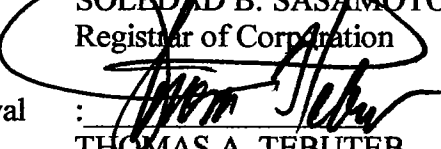
Ngáliir toulap kka re mwuschel bwe rebwe ló amwuri fischiiy pomwol fféerúlliiwel kkaal reel meta mángemángiir me tipeer ngáre re tipáli pat rese tipáli. Rebwe ischiitiw mángemángiir nge ra afanga ngáli Chairman, Board of Education, P.O. Box 1370 CK, Seipél, MP 96950, facsimile 664-3711, eliigh (30) rál sángi igha e rongoló arongorong yeel llól Commonwealth Register.

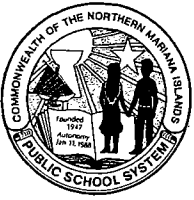
E fféer wóól ráál ye 19th me maram ye Septembre, 2002, wóól Seipél, Commonwealth of the Northern Marianas.

BOARD OF EDUCATION

Mereel: 
ROMAN C. BENAVENTE
Acting Board of Education Chairman

Mereel 1CMC Tálil 2153 ye e lliiweló Public Law 10-50 e schu ngáli schéé yeel kopiyaal Lliiwelil allegh kka ebwe liiweli akkááw alleghúl Board of Education iye Bwulasiyoól Attorney General aa takkal areghi me appebaay.

Mereel	:  RAMONA V. MANGLONA Deputy Attorney General	Raal: <u>9-20-02</u>
Isaliiyal	:  SOLEDAD B. SASAMOTO Registrar of Corporation	Raal: <u>9/24/02</u>
Bwughiiyal	:  THOMAS A. TEBUTEB Special Assistant for Administration	Raal: <u>9-24-02</u>



COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS



STATE BOARD OF EDUCATION
PUBLIC SCHOOL SYSTEM
P.O. BOX 501370 CK
SAIPAN, MP 96950

Herman T. Guerrero
Chairman

Roman C. Benavente
Vice Chairman

Esther S. Fleming
Secretary/Treasurer

Member
Francis Diaz
Marja Lee C. Taitano

Scott Norman
Non Public School Rep.

Franklin Keiper
Teacher Rep.

Tracy Lynn D. Del Rosario
Student Representative

Commissioner of Education
Rita Hocog Inos, Ed.D

PROPOSED BOARD OF EDUCATION REGULATION REGARDING ALTERNATIVE LEARNING PROGRAMS

Statutory Authority: The proposed regulations is promulgated pursuant to the Board of Education's (Board) authority as provided by Article XV of the CNMI Constitution and Public Law 6-10.

Goals and Objectives: The Board believes that the proposed regulation will demonstrate the Board's support of PSS's alternative learning programs, such as Lina'la' Malawasch Academy (LMA) and the Advanced Development Institute (ADI).

Brief Summary of Proposed Regulation: The proposed regulation sets forth in detail the purpose and educational methods for PSS's alternative learning settings, such as LMA and ADI. These programs allow students in need of alternative educational settings to pursue their education in a less traditional atmosphere.

Citation of Related and/or Affected Board Regulations: none

Contact Person: All interested persons may examine the proposed regulation and submit written comments, positions, or statements for or against the proposed amendments to the Chairperson, Board of Education, P.O. Box 1370 CK, Saipan, MP 96950, call 664-3727 or fax 664-3711 within thirty (30) calendar days following the date of the publication in the Commonwealth Register of this proposed regulation.

Dated this 19th day of September 2002, at Saipan, Northern Mariana Islands.

BOARD OF EDUCATION

By: *Roman Benavente*
ROMAN C. BENAVENTE
Acting Board of Education Chairperson

Instruction**Alternative Learning Settings**

Pursuant to CNMI law (3 CMC Section 1132), the Board “shall establish and provide such academic and vocational programs as are appropriate and beneficial to the students and shall serve the needs of the community.” As part of this responsibility, the Board has adopted Policy 6270 and Regulation 6270 to address instructional programs for students at-risk and to establish alternative learning settings to enable students to achieve their educational goals and requirements, such as grade promotions and high school graduation.

Advanced Development Institute (ADI)

ADI is an alternative high school program. The purpose of ADI is to allow students aged sixteen (16) and older, who have not completed high school, to achieve success by making a positive connection with academic and vocational training, employers and work, mentors and tutors, families and community in an atmosphere that is welcoming, comfortable and sensitive to their individual needs, skills and learning styles. ADI teaches students to develop their critical, creative, communication and occupational skills through course offerings including reading and writing, consumer economics, health, government and law, occupational knowledge, and community resources. Graduates of ADI move into the private and public workforce with the skills necessary to achieve success.

The CNMI Board of Education is authorized by law and Board regulation to award diplomas for secondary education. Graduates of ADI must complete two phases to receive an alternative high school diploma. The first phase consists of the ADI academic courses, including English, math, community resources, consumer economics, government and the law, occupational knowledge and health. Five (5) academic courses in the first phase must be passed. The second phase requires the students to gain career experience through a vocational or occupational program at a post-secondary institution or by working or volunteering in the community.

A minimum of ninety (90) minute of daily instructional time shall be provided to students in the alternative high school program of ADI. The subjects are the academic courses in the first phase listed above. Any departure from the time and/or subject requirements will require express prior approval from the Commissioner of Education that is subject to Board review upon request.

Lina'la' Malawasch Academy (LMA).

The Lina'la' Malawasch Academy (LMA) is an alternative learning setting for students grades seven and eight who have demonstrated behavioral problems that require intervention. Lina'la' malawasch means life, well-being and a new beginning in the Chamorro and Carolinian languages. The goal of LMA is to offer a second chance to students by creating an environment for students to improve their behavior, attendance and academic performance to enable them to reenter the general student population and proceed towards graduation from high school. The academic requirements for LMA students are similar to the PSS requirements and Board regulations regarding other junior high school students.


PUBLIC NOTICE
PROPOSED REPEAL AND RE-ENACTMENT OF THE RULES AND REGULATIONS GOVERNING THE EDUCATIONAL ASSISTANCE PROGRAM FOR POSTSECONDARY EDUCATION

The Scholarship Advisory Counsel Board for the Commonwealth of the Northern Mariana Islands Scholarship Office hereby notifies the general public of its intention to Repeal and Re-enact the Educational Assistance Program Rules and Regulations that were promulgated in July 2001 and adopted in September 2001. P.L. 7-32 as amended by Public Law 11-77 and Executive Order 94-3, Sec. 211, authorizes the proposed Repeal and Re-enactment of the Educational Assistance Program Rules and Regulations.

All interested persons may examine the proposed Repeal and Re-enactment of the Educational Assistance Program Rules and Regulations and submit written comments to the Chairperson, Scholarship Advisory Counsel Board, Caller Box 10007, Saipan, MP 96950, or by facsimile to 664-4759 or email to cnmieap@cnmischolarship.com within thirty (30) calendar days following the date of the publication of this Notice in the Commonwealth Register.

Dated this 20th day of September 2002, at Saipan, Northern Mariana Islands.

SCHOLARSHIP ADVISORY COUNSEL BOARD

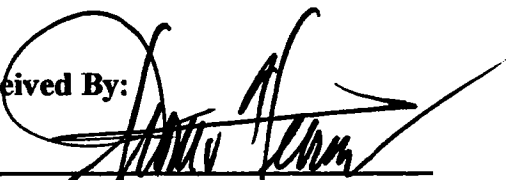
By: 
ROMAN BENAVENTE
Scholarship Advisory Counsel Board, Chairperson

Pursuant to 1 CMC § 2153, as amended by P.L. 10-50, the rules and regulations attached hereto have been reviewed and approved as to form and legal sufficiency by the Office of the Attorney General.


Dated this 20th day of September 2002.

RAMONA V. MANGLONA
Deputy Attorney General

By: 
Assistant Attorney General

Received By: 
THOMAS TEBUTEB
Special Assistant for Administration

Date: 9-24-02

Filed By: 
SOLEDAD B. SASAMOTO
Registrar of Corporations

Date: 9/24/02

NOTISIAN PUPBLIKU

Pot Ma Plánu Para U Ma Diroga yan Ma Talun Otdena I Areklamento Yan Regulasi3n Ni Gumubebietna I Prográman Asistensian i Edukasi3n Para Edukasi3n i Koleho .

I Board i Scholarship Advisory Counsel para i Commonwealth Gi Sankattan Siha Na islas Mariánas Ofisinan i Scholarship este na momento ma notitisia i henorát publiku na ma diroga yan talun otdena i (Areklamento) Regulasion Asistensian i Edukasi3n ni hagas ma deklara gi Julio 2001 yan ma adopta gi Septembre 2001. P.L. 7-32 (inamenda nu i P.L. 11-77) yan Executive Oder 94-3, Sek. 211, ni ma aturisa i pláno para u ma diroga yan otdena talo i (Areklamento) Regulasion Asistensian i Edukasi3n.

Todu i man interesao na petsona siña ha ma eksamina i planun (Areklamento) Regulasion Asistensian i Edukasi3n ya hu fan mongi opinion guatu giya i Kabesiyun, i Board i Scholarship Advisory Counsel, Caller Box 10007, Saipan, MP 96950, pat un fax guatu gi numiro 664-4759 pat un email guatu gi cnmieap@cnmischolarship.com. Na siguru na un oppe este na notisia gi hálom trenta (30) dias distiki ma publika este na notisia gi Rehistradoran i Commonwealth.

Ma fecha este na Noticia gi mina 20th na ha'ani gi Septembre 2002, gi Saipan Gi Sankattan Siha Na Islas Mariánas.

I Board I Scholaship Advisory Counsel

Ginen as: 
ROMAN BENAVENTE

Kabesiyun, I Board I Scholarship Advisory Counsel


Sigun gi 1 CMC 2153 ni inamenda ni lai Pupbliku 10-50, i areklamento yan regulasion siha ni checheton guine esta ma ribisa yan apreba gi fotma yan suficiente na ligat genin i Ofisinan Abugádan Henerát gi Commonwealth Sankattan Siha Na Islas Marianas.

Ma fecha gi mina 20th dias gi Septembre 2002

RAMONA V. MANGLONA
Deputy Attorney General

By: 
Asistenten Abugádan Henerát

Rinisibi as: 
THOMAS TEBUTEB
Espisiát na Ayudánten Atministrasion


SOLEDAD B. SASAMOTO
Rehistradoran I Commonwealth

Date: 9-24-02

Date: 9/24/02

**PROPOSED REPEAL AND RE-ENACTMENT OF THE RULES AND
REGULATIONS GOVERNING THE EDUCATIONAL ASSISTANCE
PROGRAM**

Citation of Statutory Authority: The Scholarship Office proposes to promulgate Rules and Regulations pursuant to executive Order, 94-3, Sec. 211 and P.L. 7-32 as amended by P.L. 11-77.

Short Statement of Goals and Objectives: The proposed repeal and re-enactment of the Educational Assistance Program Rules and Regulations provides a guidelines and criteria to applicants pursuing a postsecondary education scholarship funds.

Brief Summary of the Proposed Regulations: The purpose for proposing repeal and re-enactment of the Rules and Regulations governing the Educational Assistance Program is to include part-time undergraduate eligibility, to notify all graduate level recipients on ceased of funds commencing with academic year 2003/04 and to notify undergraduates on remedial preparatory courses and non-degree courses will not be counted towards credits earned/completed commencing with the academic year 2003/04. The propose amendment includes "successfully completion with a passing grade" on the Satisfactory Progress quantitative measure.

Citation of Related and/or Affected Statutes, Regulations, and Orders: P.L. 7-32 now codified at 3 CMC Section 1341; P.L. 8-18 The Post Secondary Education Act of 1982 and Executive Order 94-3, Sec. 211.

For Further Information Contact: Meliza S. Guajardo, Acting Scholarship Administrator, telephone number 664-4750 or facsimile number 664-4759



Roman Benavente, SAB-Chairperson

9/20/02

Date

RULES AND REGULATIONS GOVERNING THE EDUCATIONAL ASSISTANCE PROGRAM

I. PURPOSE: The Scholarship Advisory Board hereby establishes an Educational Assistance program (EAP) for the purpose of assisting, applicants who desire to pursue post-secondary study from within or outside of the Commonwealth of the Northern Mariana Islands (CNMI) through use of various locally funded grants and scholarships.

II. DEFINITION

- a. "Permanent Resident": A United States citizen domiciled in the Commonwealth for two (2) consecutive years prior to enrollment in a college or university.
- b. EDUCATIONAL ASSISTANCE GRANTS: Financial assistance awarded for the purpose of post-secondary studies.
- c. INCENTIVE AWARD: An additional grant awarded to qualifying undergraduate students on the basis of professional and hard to fill positions within the CNMI and maintenance of a minimum grade point average. (Such grants are contingent upon the availability of funds.)
- d. PRIORITY MAJOR: An area of studies determined to be essential to the Commonwealth of the Northern Mariana Islands, based on the needs of the Commonwealth and as approved by the SAB.
- e. REMEDIAL PREPARATORY COURSES: Courses that are below college level courses. (Recipients who are taking remedial preparatory courses are not eligible for incentive awards.) Commencing with fall term 2003, remedial preparatory courses or non-degree units will no longer be funded through the EAP.
- f. FULL-TIME STATUS: Fulltime status for undergraduate enrollment is a semester/quarter term earning 12 or more credits, for graduates, enrollment in a semester/quarter term earning 9 or more credits or determined by the Institutions definition of semester/term. Courses that are repeated are not counted towards fulfillment of a full-time status. This may be waived for applicants who are Certified Disabled (II: K).
- g. PART-TIME STATUS: Part-time status for undergraduate enrollment is a semester/quarter earning 1-11 credits. Courses that are repeated are not counted towards fulfillment of a part-time status.
- h. CORRESPONDENCE SCHOOL: An educational institution offering courses (instructions, lessons, exercises, grades) through the mail.
- i. ON-LINE COURSES: Courses available electronically or through telecommunication systems.
- j. EQUIVALENT: Equivalent of a High School Graduation is limited to a General Education Development (GED), Graduation from the Advance Development Institute, An Adult High School Diploma, or an approved National or Federal Standardized Test which provides evidence of successful completion of education at a 12th grade level.

- k. **CERTIFIED DISABILITY:** A person who is certified disabled by a licensed physician.
- l. **SATISFACTORY ACADEMIC PROGRAM (SAP):** Coursework progress measured qualitatively (cumulative grade point average) and quantitatively (credits successfully completed).
- m. **LEVEL OF EDUCATION:**
 - i. **Certificate/Diploma:** An undergraduate program less than two years.
 - ii. **Associate Degree:** An undergraduate degree program less than a baccalaureate level.
 - iii. **Baccalaureate Degree:** A four (4) or more year undergraduate degree program.
 - iv. **Masters Degree:** A degree program beyond a baccalaureate level.
 - v. **Professional Degree:** Juris Doctorate or Medical Doctor who directly provide health care.

NOTE: COMMENCING WITH FALL 2003 TERM FINANCIAL ASSISTANCE FOR ALL LEVELS OF GRADUATE PROGRAMS WILL COMPLETELY CEASE.

III. SCHOLARSHIP ADVISORY BOARD: The Scholarship Advisory Board (SAB) is created under Executive Order 94-3 Sec. 211. The Governor appoints members. The Board members serve on a voluntary basis without compensation. The duties and responsibilities of the Board are:

- a. To review and submit to the Governor recommendations pertaining to scholarship and incentive awards.
- b. To review appeals and submit decisions on appeals of Scholarship Administrator's decision by students to the Scholarship Office.
- c. To advise and provide guidance to the Scholarship Administrator on matters concerning Rules and Regulations, student financial assistance, and budgetary matters.

IV. FUNDING: Educational Assistance Program funding is derived from the scholarship funds appropriated by the legislature on a fiscal year basis. The level of funding is contingent on the balance of funds available after all statutory scholarship programs have been paid. Circumstances vary from year to year, so an EAP award for one year is no assurance of the same assistance in subsequent years. Thus, there may be variation in the amount of assistance offered to a student from one year to the next year because of changes in the availability of funds appropriated by the legislature or the number or amount of statutory scholarship awards.

NOTE: EAP AND INCENTIVE AWARDS WILL NOT BE GRANTED TO FUND RELIGIOUS STUDIES LEADING TO MINISTRY CORRESPONDENCE SCHOOL OR ADVANCE NON-HEALTH CARE DEGREE PROGRAMS. ON-LINE

PROGRAMS WILL BE DETERMINED ON A CASES-BY-CASE BASIS. HOWEVER, ON-LINE PROGRAMS MUST BE TAKEN WITHIN THE CNMI.

V. ELIGIBILITY REQUIREMENTS FOR EAP:

- a. NEW APPLICANTS – UNDERGRADUATE STUDENTS: To qualify for funding under the EAP, an applicant must:
- i. Submit a completed and signed Application Form; and,
 - ii. Ensure that the most recent sealed official transcript is mailed or hand-delivered to the Scholarship Office. (A transcript faxed directly from the Institutions Records may be accepted as an unofficial transcript until such time the original is received, as required); and,
 - iii. Provide a letter of acceptance from a recognized U.S. accredited college, university or institution as proof of admission for new students; and,

NOTE: NON-US ACCREDITED COLLEGE, UNIVERSITY OR INSTITUTION MUST BE APPROVED BY THE SAB.

- iv. Be a permanent resident of the Commonwealth with documentation of such, (an original passport or original birth certificate and CNMI Annual tax return, drivers license, CNMI affidavit card or other documents as appropriate).

NOTE: FIRST-TIME RECIPIENT OF EAP WILL BE CONSIDERED FOR FINANCIAL ASSISTANCE EVEN IF HIS/HER GPA IS BELOW THE SAP REQUIREMENT. HOWEVER IN ORDER TO CONTINUE IN THE EAP PROGRAM THE RECIPIENT MUST ACHIEVE THE CUMULATIVE GPA REQUIREMENTS OF 2.25 AT THE END OF THE TERM AWARDED.

- b. NEW APPLICANTS – GRADUATE STUDENTS: To qualify for funding under EAP, an applicant must:

- i. Meet all of the requirements listed in Section V.

- c. CONTINUING STUDENTS to continue eligibility for funding students must:

- i. Submit a completed and signed Renewal Application Form; and
- ii. Ensure that the most recent sealed official transcript is mailed or hand-delivered to the Scholarship Office. (A transcript faxed directly from the Institutions Records may be accepted as an unofficial transcript until such time the original is received, as required); and,
- iii. Provide a letter of acceptance from an eligible institution as proof of admissions for transferring students or those pursuing a higher degree; and,
- iv. Maintain SAP in a course of study according to the standards established by the Scholarship Office.

- d. FORMER EAP RECIPIENT: A student who did not receive Financial Assistance from the Scholarship Office for a period of one year as a result of ineligibility

and/or break in attendance is considered a returnee and must provide the following:

- i. Submit a completed and signed Renewal Application Form; and
- ii. Ensure that the most recent sealed official transcript is mailed or hand-delivered to the Scholarship Office. (A transcript faxed directly from the Institutions Records department may be accepted as an unofficial transcript until such time the original is received, as required); and,
- iii. Provide a letter of re-acceptance from an eligible institution for those who have taken a break in enrollment, or a letter of acceptance into the institution for transferring students; and
- iv. Maintain SAP in a course of study according to the standards established by the Scholarship Office.

VI. ELIGIBILITY REQUIREMENT FOR INCENTIVE PROGRAM: To be considered for an incentive award in addition to EAP, a full-time undergraduate student must meet all the following criteria

- a. EAP requirements for new applicants, continuing students, or returning students; and,
- b. Declare a priority major and submit a certified copy of acceptance into the priority major program form the Respective Department no later than two (2) weeks after the first day of instruction; and,
- c. Achieve and maintain a term GPA of 3.0 on a 4.0 scale.

NOTE: INCENTIVE PROGRAM AWARDS ARE CONTINGENT UPON AVAILABILITY OF FUNDS. RECIPIENTS WHO ARE TAKING REMEDIAL PREPARATORY COURSES IN FULLFILLING FULL-TIME STATUS ARE NOT ELIGIBLE FOR THE INCENTIVE AWARD PROGRAM.

VII. ELIGIBILITY REQUIRMENTS FOR PART-TIME STUDENT: Undergraduate student must meet the following criteria:

- a. EAP requirements for New Applicants, Continuing Students, or Returning Students; and,
- b. Be employed full-time in the Private or Public Sector within the CNMI throughout his/her educational pursuit. This may be waived for applicants with a Certified Disability. Employment Verification Form must be completed and submitted each enrollment period; and,
- c. Be accepted and enrolled for one (1) to eleven (11) credits in an accredited college or institution. This precludes remedial or non-degree unit courses. Proof of enrollment must be provided.
- d. Awards for part-time recipients will be prorated.

Note: PART-TIME EAP IS CONTINGENT UPON AVAILABILITY OF FUNDS. ELIGIBILITY AWARDS WILL BE DETERMINED AFTER SEPTEMBER 15TH FOR FALL TERM AND FEBRUARY 15TH FOR WINTER AND SPRING TERM.

- VIII. APPLICATION DEADLINE:** It is the student's responsibility to obtain and complete forms by the established deadline in order to be considered for EAP. Complete and signed applications must be received or post-marked by: July 1st for Fall Term and December 15th for Winter/Spring Term. Denial of EAP awards based on the receipt of a late application is not subject to appeal.

NOTE: IF THE DEADLINE FALLS ON A WEEKEND OR A HOLIDAY, THE DEADLINE WILL BE THE NEXT WORKING DAY.

- IX. SATISFACTORY ACADEMIC PROGRESS (SAP):** A student is qualified to receive EAP only if both quantitative and qualitative SAP is being maintained. SAP for EAP is defined as:

- a. Quantitative measure is successfully completing with a passing grade the following number of non-repeat credits:

- i. EAP Undergraduate Full-time: Twelve (12) credits
- ii. EAP Undergraduate Part-time: credits awarded
- iii. Graduate & Professional Full-time: Nine (9) credits or as defined by the institution.

- b. Qualitative measure is maintaining the following grade point average (GPA):

- i. EAP Undergraduate: 2.25 Cumulative GPA
- ii. Incentive Awards: 3.0 Term GPA (Full-time)
- iii. Graduate & Professional: as required by the institution to remain enrolled.

NOTE: FIRST-TIME RECIPIENT OF EAP WILL BE CONSIDERED FOR FINANCIAL ASSISTANCE EVEN IF HIS/HER GPA IS BELOW THE SAP REQUIREMENT. HOWEVER IN ORDER TO CONTINUE IN THE EAP PROGRAM THE RECIPIENT MUST ACHIEVE THE CUMULATIVE GPA REQUIREMENT OF 2.25 AT THE END OF THE TERM AWARDED.

X. STUDENTS WHO EITHER DROP OR WITHDRAW FROM CLASSES

- a. EAP Recipients who either drop or withdraw from classes and earned less than the minimum required number of credits will be suspended from the program and disqualified from further participation until he/she fulfills the requirement of the award given. (Courses that are repeated are not counted towards fulfillment of full-time status). A student on suspension may be reinstated upon completion of hours lacking from the last term awarded.
- b. An EAP recipient who falls below the required SAP will be suspended from the program and disqualified from further participation until he/she meets the required cumulative GPA.

- c. Letter Grades for Incomplete Courses must be submitted to the Scholarship Office prior to the first day of the following instructional term. Awards will not be released until the letter grade is submitted to the Scholarship Office.
- d. A recipient who received an award and is not enrolled will be required to return the funds immediately. Failure to repay/return the funds will result in immediate referral to a Collection Agency.
- e. EAP will not fund any courses taken during the summer term.

XI. DURATION OF AWARD: All programs that the Scholarship Office administers will be considered in determining the duration of award. NO EAP will be awarded once a recipient has complete a "Level of Education". EAP grants will then only be awarded for the next level of education.

a. UNDERGRADUATE DEGREES

- i. Two and half (2 ½) academic years for full-time undergraduate program leading toward an associate's degree.
- ii. Four (4) academic years for part-time undergraduate programs leading toward an associate's degree.
- iii. Four and half (4 ½) academic years for full-time undergraduate programs leading toward a bachelor's degree. A maximum of five (5) years is allowed for completion of specialized majors, as required by the Institution.
- iv. Eight (8) academic years for below part-time undergraduate programs leading toward a bachelor's degree. A maximum of ten (10) years is allowed for completion of specialized majors, as required by the Institution.
- v. EAP Assistance provided for Certificate and Associate's Degree will be included when determining the duration of award for a Bachelor's degree program.

NOTE: FULL-TIME FIRST YEAR STUDENTS ENROLLED IN REMEDIAL PREPARATORY COURSES OR NON-CREDITS COURSES AS REQUIRED BY THE INSTITUTION MAY BE ELIGIBLE FOR FINANCIAL ASSISTANCE FOR A TOTAL OF 12 PAID CREDITS. HOWEVER THIS DOES NOT EXEMPT THE RECIPIENT IN COMPLETING THE PROGRAM WITHIN THE ESTABLISHED DURATION PERIOD. DURATION OF AWARDS WILL NOT APPLY TO STUDENTS WITH CERTIFIED DISABILITY.

b. GRADUATE DEGREES

- i. Two (2) academic years for graduate level students, leading to a master's degree or Registry and Licensure.
- ii. Four (4) academic years for a Juris Doctor Degree.
- iii. Six and half (6 ½) academic years for advance degree directly providing health care (not Administrative), e.g. MD, DDS, DO which generally require additional years of study as specified in the catalog in force at the time the student is enrolled.

NOTE: COMMENCING WITH ACADEMIC YEAR 2003-04 FINANCIAL ASSISTANCE FOR ALL LEVELS OF GRADUATE PROGRAMS WILL COMPLETELY CEASE.

XII. MEMORANDUM OF AGREEMENT: When accepting an award, the recipient will receive and sign the Memorandum of Agreement outlining the applicable Terms and Conditions established by law, rules and regulations promulgated by the Scholarship Program, and as follows:

- a. In recognition of the scarcity of trained manpower in the Commonwealth all recipients of grants and/or incentives are required to return to the CNMI within three (3) months after completion of his/her degree plan or non-enrollment from school and work in the CNMI Public or Private Sector for a period of two years for each year of financial assistance received.
- b. Recipients, who after a good-faith effort are unsuccessful in finding employment in the Commonwealth within the three (3) months after completion of his/her degree plan or non-enrollment from school may request in writing an extension of time to secure employment in the Commonwealth. Documentation justifying non-employment must accompany the request for a deferment.
- c. Recipients who do not comply with the Memorandum of Agreement (MOA) shall repay the total amount of funds awarded. The amount may be paid in full or in installments. The Scholarship Program Administrator will arrange a payment schedule after reviewing the recipient's Financial Statement.
- d. Legal proceedings will be taken to recover the total amount of EAP and/or incentive awarded should a recipient fail to return to the CNMI within three (3) months after receipt of his/her degree or the conclusion of his/her educational pursuit. The recipient shall pay all fees and interest charged by the collection agency, including legal expenses incurred by the government in an effort to recover EAP and/or incentive awards.
- e. No penalty shall be imposed on a recipient who decides to return to the CNMI and find employment in the CNMI before the completion of study; the appropriate cancellation rates shall be applied. However, should the recipient return to school, the cancellation shall cease immediately and the amount owing shall be added toward the new EAP.

XIII. TIME TO RETURN: A recipient must return to the CNMI within three (3) months after his/her completion or within three (3) months after having ceased his/her educational pursuit.

XIV. FRAUDULENT INFORMATION: All documents received by the Scholarship Office are subject to verification. The applicant is personally responsible for the integrity of these documents. Recipients and/or their authorized representative who submit documents that are false or tampered with in any way will result in the recipients' immediate and permanent removal from any of the program administered by the Scholarship Office. Documents include but are not limited to application, supporting documents, grade reports, transcripts, letters of reference or letters of recommendation, etc.

XV. APPEALS

- a. A recipient who is denied EAP has the right to appeal a decision of the Scholarship Office.

- b. Appeals must be in writing addressed to the Chairperson of the Scholarship Advisory Board.
- c. Appeals must be postmarked or hand-delivered no later than twenty-one (21) calendar days after notification of the decision by the Scholarship Administrator. Notification of denial if mailed shall be given via certified mail, return receipt requested
- d. Appeals to the Scholarship Advisory Board shall be heard and decided pursuant to applicable CNMI law, including, but not limited to, the CNMI Administrative Procedure Act, 1 CMC Section 9101 et.. sec.
- e. All decisions by the Scholarship Advisory Board on appeals are final regarding the administrative review process.
- f. Denials based on late submission of an application or due to a repeated course are not subject to appeal process.

XVI. EFFECTIVE DATE

These rules and regulations shall take effect upon adoption by the SAB and publication in the Commonwealth Register.



Commonwealth of the Northern Mariana Islands Coastal Resources Management

P.O. Box 10007, 2nd Floor Morgen Building
San Jose, Saipan, MP 96950



Tels: (670) 664-8300/14
Fax: (670) 664-8315

PUBLIC NOTICE

NOTICE OF PROPOSED AMENDMENTS TO THE COASTAL RESOURCES MANAGEMENT RULES AND REGULATIONS

AUTHORITY:

The Coastal Resources Management Office hereby notifies the public of proposed amendments to the Coastal Resources Management Rules and Regulations. The CNMI Coastal Resources Management Agency Officials (CRMA) indicated herein are authorized under 2 CMC § 1531(d) to regularly review adopted regulations and adopt new regulations as necessary in accordance with the Administrative Procedures Act [1 CMC § 9101 et. seq.].

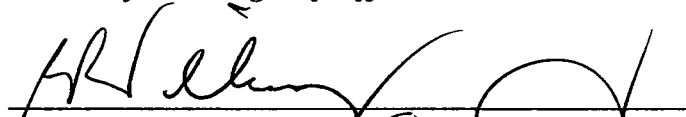
PUBLIC COMMENT:

In accordance with 1 CMC § 9104(a), the public has the opportunity to comment on the proposed amendments. Interested persons may obtain copies of the proposed amendments from the CRM Office on the 2nd Floor of the Morgen Building, San Jose, Saipan. Written comments regarding the proposed amendments are to be submitted within thirty (30) days of publication of this notice in the Commonwealth Register and should be directed to the Administrator, Coastal Resources Management Office, P.O. Box 10007 Saipan, MP 96950. Comments may also be submitted via fax, 664-8315.

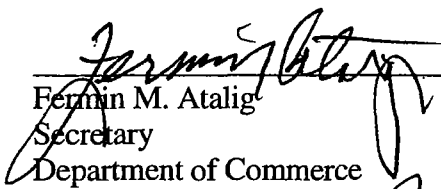
CONTENTS:

The amendments are intended to add a definition to define adjacent landowners and make corrections to ensure consistency between Public Law 3-47 and the Regulations. Modifications of the regulations are consistent with the coastal resources management policies in 2 CMC § 1511.

Issued By CRM Agency Officials:

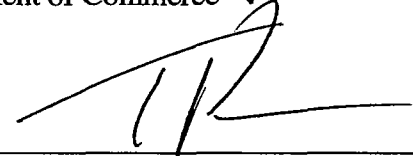

Bernard P. Villagomez
Executive Director
Commonwealth Utilities Corporation

Date: 8-22-02



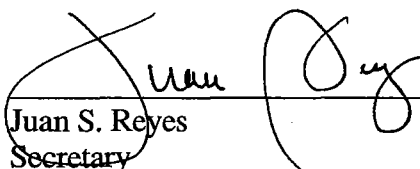
Fermin M. Atalig
Secretary
Department of Commerce

Date: 8/29/02



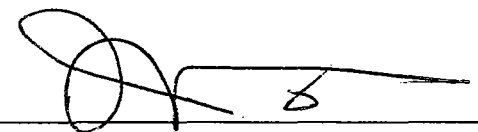
Thomas B. Pangelinan
Secretary
Department of Lands & Natural Resources

Date: 8/28/02



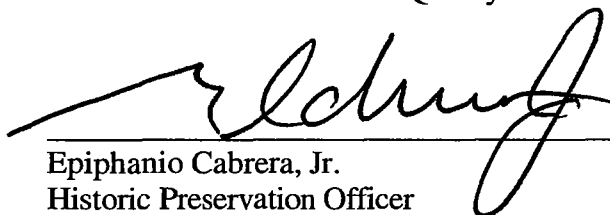
Juan S. Reyes
Secretary
Department of Public Works

Date: 8/23/02



John I. Castro, Jr.
Director
Division of Environmental Quality

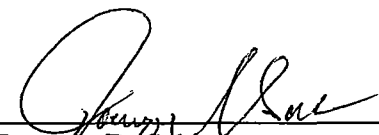
Date: 9/3/02



Epiphania Cabrera, Jr.
Historic Preservation Officer

Date: 8/20/02

Concurred by:



Joaquin D. Salas
CRMO Administrator

Date: 9/05/02

CERTIFICATION BY THE OFFICE OF THE ATTORNEY GENERAL:

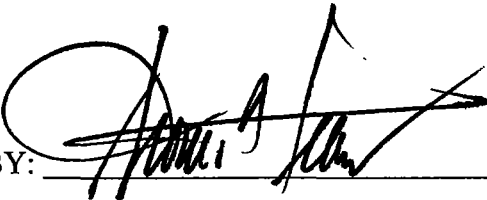
Pursuant to 1 CMC § 2153 as amended by Public Law 10-50, the above certification hereto have been reviewed and approved as to form and legal sufficiency by the Office of the Attorney General.

Dated this 13th day of September, 2002.

RAMONA V. MANLGONA
Deputy Attorney General

By: Peggy Campbell

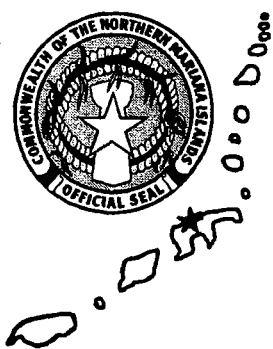
Assistant Attorney General

RECEIVED BY: 

THOMAS TEBUTEB
Special Assistant for Administration
Date: 9-24-02

FILED BY: 

SOLEDAD B. SASAMOTO
Registrar of Corporations
Date: 9/24/02



Commonwealth of the Northern Mariana Islands Coastal Resources Management

P.O. Box 10007, 2nd Floor Morgen Building
San Jose, Saipan, MP 96950



Tels: (670) 664-8300/14
Fax: (670) 664-8315

Notisia Pot Ma Propone Siha Na Amendasion Para I Areklamento Yan Regulasion Coastal Resources Management

Aturidat:

I Ofisinan i Coastal Resources Management este na momento ma infototma i pupbliku pot i man ma propositu na amendasion para I areklamento yan regulasion Coastal Resources Management. I Commonwealth Gi Sankattan Siha Na Islas Marianas (CNMI), ofisiat Coastal Resources Management Agency ma indikea na pãgu gi presente man ma aturisa siha gi papa 2 CMC Seksiona 51 (d) para hu ma ribisa regulario man ma adopta pat man nuebu na adoptan regulasion siha meintras nisisario yan i Administrative Procedures Act [1 CMC Seksiona 9101 et.seq.].

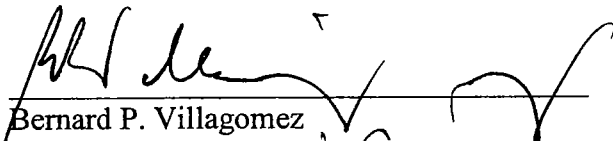
Opinion Publiku:

Kinensiste yan 1 CMC § 9104 (a), i pupbliku guaha oppotunidât para hu guaha opinion pot asunton ma propone siha na petsona debidi hu fañule kopia siha pot i man ma propone na amendasion siha ginen i Ofisinan CRM gi segundo na bibenda giya Morgen Building, San Jose, Saipan. Tinige' opinion siha pot asunton man ma propone na amendasion para hu ma submitte entre trenta (30) dias anai ma pupblisa este na notisia gi Rehistran Commonwealth yan debidi hu ma entrega i Atministradot, Ofisinan I Coastal Resources Management, P.O. Box 10007, Saipan, MP 96950. Opinion siha siña ha lokkue ma submitti gi via fax, 664-8315.


Sinaguan:

I amendasion man ma intensiona para hu ma omentâyi i sustansia-ña i adjacent landowners yan hu mana guaha kinirihi para hu asigura i kinensiste gi entalo Lai Pupbliku 3-47 yan i regulasion siha. I man ma fatinas siha na regulasion para hu konsiste yan i areklamenton Coastal Resources Management i 2 CMC Seksiona 1511.

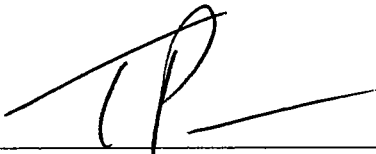
Linaknos Ofisiat Siha Ginen I CRM Agency:


Bernard P. Villagomez
Sekritarium
Commonwealth Utilities Corporation

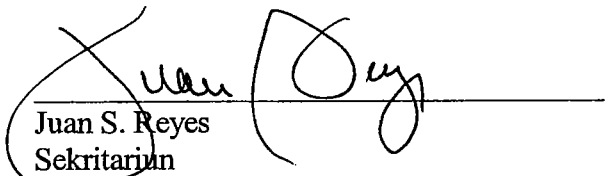
Fecha: 8.22.02


Fernin M. Atalig
Sekritarium
Dipattamenton I Commerce

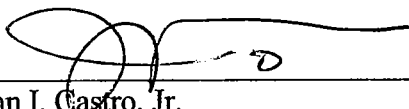
Fecha: 8.29.02


Thomas B. Pangelinan
Sekritarium
Dipattamenton I Lands & Natural Resources

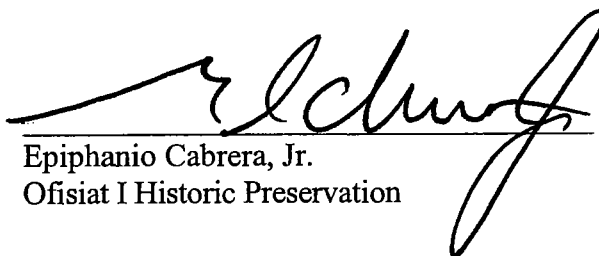
Fecha: 8/28/02


Juan S. Reyes
Sekritarium
Dipattamenton I Public Works

Fecha: 8/23/02

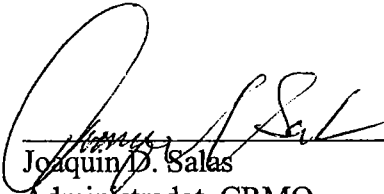

John I. Castro, Jr.
Direktot
Dibision of Environmental Quality

Fecha: 9/3/02


Epiphanio Cabrera, Jr.
Ofisiat I Historic Preservation

Fecha: 8/20/02

Kinonfotma as:



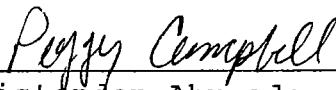
Joaquin D. Salas
Administrador, CRMO

Fecha: 9/05/02

Rinisiben I Abugadon Henerat:

Sigun i 1 CMC Seksiona 2153, ni ma amenda ginen i Lai Pupbliku 10-50, i regulasion siha ni man ma ribisa yan ma apreba taimanu ha sigun i mafotmatña yan ligat ginen i ofisinan i Abugadon Henerat.


RAMONA V. MANGLONA
ABUGADUN Hinerat



Asistenden Abugadon Henerat

Fecha: 9/13/02

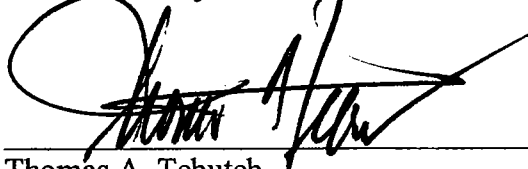
MAREKOD AS:



Soledad B. Sasamoto,
Rehistradoran I Koporasion

Fecha: 9/24/02

Ma resibi ni Ofisinan Gobietno Gi As:



Thomas A. Tebuteb
Espisiat Na Ayudanten I Atministrasion,
Ofisinan I Gobietno

Fecha: 9-24-02



Commonwealth of the Northern Mariana Islands
Coastal Resources Management

P.O. Box 10007, 2nd Floor Morgen Building
 San Jose, Saipan, MP 96950



Tels: (670) 664-8300/14
 Fax: (670) 664-8315

Arongorongol Toulap Reel Pomwol liwel Ngali
Alleghul Coastal Resources Management

Bwangil:

Coastal Resources Mangement e arongaar Toulap reel pomwol liwel reel alléghúl Coastal Resources Mangement. CNMI Coastal Resources Management Agencies Officials (CRMA) bwelle igha aa ffateló faal bwángil 2 CMC SS 1531(d) reel igha ra fasúl amwari me adopto-ló allégh kkaal me rebwe yááyá allégh ye ffé igha e welepakk apelúghúlúghúl Atministrative Procedures Act (1 CMC § 9101 et.seq.).

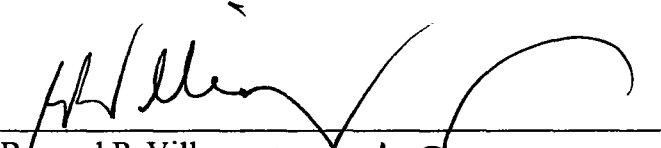
Mángemángiir:

Reel Apelúghúlúghúl 1 CMC § 9104 (a), sáangiir Toulap nge emwel rebwe ayégh reel pomwol liwel kkaal. Armas kka re mwuschel bwe ebwe yoor yaar copial pomwol liwel kkaal nge rebwe ló reel bwulasiyol CRM me 2nd floor Morgen Building, San Jose, Saipan. Me ngáre eyoor yóómw ayégh me ngáre mángemáng reel pomwol liwel kkaal, iisch ngali ngáre isalilong igha esóóbw luuló iligh (30) ral me féérló llól Commonwealth Register me ngáre umwuschel ebwe atootolong reel Administrator, Bwulasiyol Coastal Resources Management, P.O. Box 10007, Saipan, MP 96950. Mángemáng me ayégh nge ebwe isisilong reel via fax, 664-8315.

Autol:

Liwel kkaal nge rebwe aweewey bwe ebwe ffat ngaliir adjacent landowners me ebwe awela bwe ebwe fisch me alleghúl Toulap 3-47 me allégh kkaal. Allegh kkaal iye ra liweli ebwal ghil ngali Coastal Resources Management Policy llól 2 CMC § 1511.

Sáangi CRM Agency Officials:

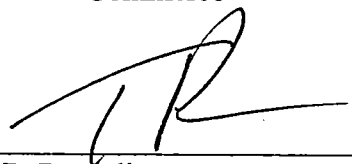


 Bernard P. Villagomez
 Executive Director
 Commonwealth Utilities Corporation

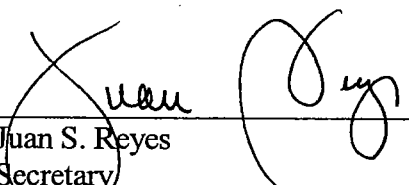
Rál: 8-22-02


Felmin M. Atalig
Secretary
Department of Commerce

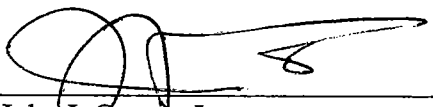
Rál: 8/29/02


Thomas B. Pangelinan
Secretary
Department of Lands & Natural Resources

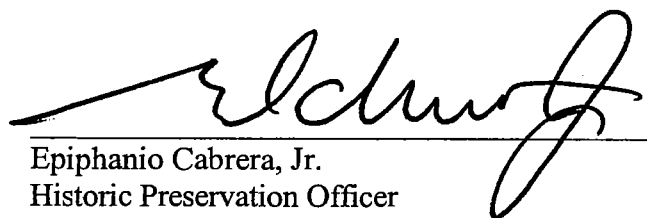
Rál: 8/28/02


Juan S. Reyes
Secretary
Department of Public Works

Rál: 8/23/02

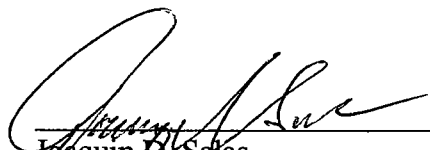

John I. Castro, Jr.
Director
Division of Environmental Quality

Rál: 9/3/02


Epiphania Cabrera, Jr.
Historic Preservation Officer

Rál: 8/29/02

Allegúyal:


Joaquin D. Safas
CRMO Administrator

Rál: 9/05/02

Amwariyal Attorney General:

Sáangi 1 CMC §2153, iye aa liwel mereel P. L. 10-50, allegh kkaal iye e appasch me ra amwai me alleghuyal Bwulasiyol Attorney General.

RAMON V. MANGLONA
Deputy Attorney General



Assistant Attorney General

RÁL: 9/13/02

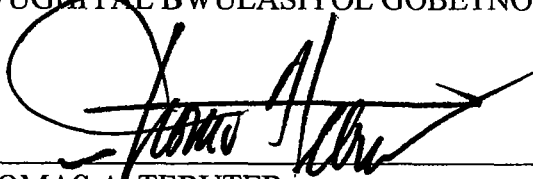
FILED BY:



SOLEDAD B. SASAMOTO
Registrar of Corporations

RÁL: 9/24/02

BWUGHYAL BWULASIYOL GOBETNO:



THOMAS A. TEBUTEB
Special Assistant for Administration

RÁL: 9-24-02

**PROPOSED AMENDMENTS TO THE
COASTAL RESOURCES MANAGEMENT RULES AND REGULATIONS**

Authority: The CNMI Coastal Resources Management Agency Officials propose amendments to the Coastal resources Management Rules and Regulations pursuant to the Coastal Resources Management Act, 2 CMC § 1531(d).

Statement of Goals and Objectives: The amendments are intended to clarify the regulations and to make corrections to ensure consistency between Public Law 3-47 and the Regulations. Modifications of the regulations are consistent with the coastal resources management policies in 2 CMC § 1511.

Brief Summary of Proposed Amendments: The amendments define the term "adjacent landowner," establishes an alternative notification procedure for adjacent landowners, clarifies the permit application fee section, corrects an incorrect reference in the judicial review provision, and amends the enforcement section's remedies provision and judicial review provision.

For Further Information Contact: Becky Lizama, CRMO Permit Manager, phone: 664-8300, fax: 664-8315

Related and Affected Statutes, Regulations, and Orders Coastal Resources Management Act, 2 CMC § 1501 et seq.
Coastal Resources Management Rules and Regulations

Section 5 Definitions:

The following definitions are added:

ZZ. “Adjacent Property” means real property that has at least one boundary point in common with the lot or site on which a proposed project will be located, or is separated from such lot or site only by a physical barrier such as a road or a stream.

AAA. “Adjacent Property Owner” means a person, business, corporation, or entity who currently hold valid ownership/lease of said adjacent property.

Section 8 CRM Permit Process

Section 8A(v)(d) Fees is amended as follows:

FEE AMOUNT	COST OF PROJECT
\$100	less than or equal to \$50,000
\$200	\$50,001 to 100,000
\$750	\$100,001 to 500,000
\$1,500	\$500,001 to 1,000,000

If the cost of the project exceeds one million dollars, the fee shall be \$ 1,500 plus an additional amount equal to the fee for the cost increment exceeding \$1,000,000. For example, a project that costs \$1,350,000 would be assessed a fee of \$2250 (a \$1500 fee for the first \$1,000,000 and a \$750 fee for the \$350,000 cost increment exceeding \$1,000,000). A project that costs \$2,000,001 would be assessed a fee of \$3,100 (\$1,500 for the first \$1,000,000, \$1,500 for the second \$1,000,000 and \$100 for the \$1.00 increment over \$2 million). The maximum total fee for any project shall be \$300,000.

Section 8A(vii)(l) Information is amended as follows:

(l) Names of adjacent property owners and copies of letters sent to them notifying them of the proposed project.

(1) An applicant may request an exemption of this requirement where notification of every adjacent property owner would not be practical or would create an undue burden. This exemption is intended to be

limited to projects such as infrastructure corridors, where the path of the corridor or project may be adjacent to a large number of properties. If the exemption is granted by CRM Agency Officials, the applicant must complete an alternative notification. The applicant would be required to publish public notice of the proposed project in a newspaper of general circulation in the CNMI at least four (4) times prior to the public hearing on the proposed project. The public notice shall include the permit number, name of project, name of applicant, map of the proposed project area as approved by CRMO, date, time and place of the public hearing, CRMO's contact numbers, and description of the proposed project. The applicant shall obtain approval of the public notice from CRMO prior to publishing. The applicant is responsible for all public notice fees and printing;

- (2) For purposes of this subsection, and subsection (m), adjacent property is defined in Section 5(ZZ).

Section 8H Commonwealth Trial Court:

Section 8H is amended as follows:

Any person aggrieved by a final decision of the CRM Appeals Board may seek judicial review in accordance with 2 CMC § 1541(b). In the event that the CRM Appeals Board does not have a quorum within sixty (60) days, the decision of the CRM Agency officials, CNMI Governor, or the CRM Administrator shall be considered summarily affirmed and the aggrieved party may seek judicial review from the Commonwealth Superior Court in accordance with 2 CMC § 1541(b).

Section 14 Enforcement of CRM Permits:

Section 14(A), (C), (D), (D)(i), (F), and (G)(iv) are amended as follows:

- A. Purpose. The provisions of this Section are intended to establish procedures whereby the CRM Administrator may enforce the terms and conditions of CRM permits. Final actions of the CRM Administrator based upon this section are final agency action reviewable directly by the Commonwealth Superior Court pursuant to the Administrative Procedure Act, 1 CMC § 9101, et seq.
- C. Warning. The CRM Administrator, upon a determination that a permitted project violates one or more provisions of section 14 B, may issue a notice of intent to undertake CRM Permit enforcement proceedings unless the CRM Permit holder accomplishes corrective measures. This warning procedure shall not affect nor limit the CRM Administrator's duties, powers, and responsibilities under Section 14 D.

- D. Permit Enforcement Notice. If after thirty (30) days of the date the CRM Administrator issued a notice of intent under Section 14 C, the CRM Permit holder has failed to take corrective action or continues to be in violation of its CRM permit, the CRM Administrator shall issue a written permit Enforcement Notice to the CRM permit holder.
- (i) Content of Notice. A Permit Enforcement Notice shall include a statement of facts or conduct constituting the violation and shall indicate the intended action to be taken by the CRM Administrator. If the CRM Administrator intends to impose a fine for the violation(s), the Permit Enforcement Notice shall state the proposed amount of the fine. A Permit Enforcement Notice shall provide for Permit Enforcement hearings, if requested, and inform the CRM Permit holder of his or her responsibilities and rights under this Section. The notice shall inform the permit holder that unless he requests a permit enforcement hearing within 30 days, the proposed sanction will be imposed.
- (ii) Service. NO CHANGE
- (iii) Response to Notice. NO CHANGE
- F. Permit Enforcement Hearing. Upon receipt of a request for Permit Enforcement Hearing, the CRM Administrator shall schedule a hearing within fifteen (15) days. The CRM Administrator or his designee shall preside at CRM Enforcement Hearing, shall control the taking of testimony and evidence and shall cause to be made an audio recording or stenographic record of CRM Enforcement Hearing. Evidence presented at such hearings need not conform with any prescribed rules of evidence but may be limited by the CRM Administrator in any manner she/he reasonably determines to be just and efficient and promote the ends of justice. Permit Enforcement Hearings shall conform to the provisions of the Administrative Procedure Act, 1 CMC § 9108 et seq. The CRM Administrator shall issue a decision within ten (10) days of the close of the enforcement hearing and all orders shall be in writing and accompanied by written findings of fact and conclusions of law. The standard of proof for such hearing shall be by the preponderance of the evidence.
- G. Remedies. Upon a determination by the CRM Administrator and/or CRM Agency officials that a violation did occur, the CRM Administrator may order any or all of the following remedies.
- (i) Revocation. The CRM Permit may be revoked in its entirety.
- (ii) Suspension. The CRM Permit may be temporarily suspended for a given period, or until the occurrence of a given event or satisfaction of a specific condition.

- (iii) Corrective Measures. Measures may be ordered of the CRM Permit holder so that the project conforms to the CRM Permit terms and conditions.

- (iv) Civil Fines. The CRM Administrator may impose a civil fine in an amount not to exceed \$ 10,000 per day for each day the violation of the CRM permit occurred pursuant to 2 CMC § 1543(a). For purposes of computing a fine, any day that the CRM Administrator finds that a violation of the CRM permit occurred may be counted. The CRM Administrator shall, in his discretion, set fines in an amount calculated to compel compliance with CRM Permit Conditions, applicable law, and any order issued by the Administrator, taking into consideration the value of the existing and potential damage to the environment caused by the violation, efforts at compliance, and/or any other factors that the Administrator finds relevant to the calculation.



Office of the Secretary
Department of Finance

P.O. Box 5234 CHRB SAIPAN, MP 96950

TEL. (670) 664-1100 FAX: (670) 664-1115

NOTICE OF ADOPTION OF PROPOSED AMENDMENTS
TO THE RULES AND REGULATIONS
FOR THE OPERATION OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS LOTTERY

I, Frank Villanueva, Secretary of Finance, Department of Finance, which is promulgating the Proposed Rules and Regulations for the Operation of the Commonwealth of the Northern Mariana Islands Lottery published in the Commonwealth Register Vol. 24 Number 8 on August 21, 2002 at pages 19482 to 19494, by signature below hereby certify that as published, such rules are a true, complete and correct copy of the Notice of Proposed Amendments to the Rules and Regulations for the Operation of the Commonwealth of the Northern Mariana Islands Lottery, which after the expiration of appropriate time for public comment, have been adopted without modification or amendment. I further request and direct that this Notice of Certification of Adoption be published in the CNMI Commonwealth Register.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on the 23rd day of September 2002 at Saipan, Commonwealth of the Northern Mariana Islands.

Certified By:

Frank Villanueva
Secretary
Department of Finance

9-23-02
Date

Filed By:

Soledad B. Sasamoto
Registrar of Corporations

9/25/02
Date

Received By:

Thomas A. Tebuteb
SAA, Office of the Governor

9-25-02
Date

COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
CIVIL SERVICE COMMISSION

NOTICE OF EMERGENCY AND NOTICE OF RULE
PARTIAL SUSPENSION OF FINANCIAL AUSTERITY MEASURES

On June 20, 2002 the Governor issued Directive No. 219 declaring that there is no longer a need for financial austerity measures in respect to employees in federally funded positions.

Under the authority of 1 CMC §8117, and Personnel Service System Rules and Regulations, Part XII.A the Civil Service Commission hereby notifies the general public that the provisions of the Personnel Service System Rules and Regulations Part IV.B5, B6, B7, B8, B12 & B15 are reinstated in respect to employees in federally funded positions. The reinstatement of Personnel Service System Rules and Regulations Part IV.B5, B6, B7, B8, B12 & B15 will not entitle employees to retroactive salary adjustments for salary increases suspended by prior austerity measures.

This rule is made and filed pursuant to 1 CMC §9102. Since this is a rule that is a statement of general applicability that implements, interprets, or prescribes law or policy, the provisions of 1 CMC §9104 relating to the adoption of regulations does not apply.


EMERGENCY: This rule implementing the reinstatement of Personnel Service System Rules and Regulations Part IV.B5, B6, B7, B8, B12 & B15 is adopted as an emergency rule based on the Governor's Directive No. 219. This rule would normally take effect ten days after publication in the Commonwealth Register. It is in the public interest that the rule become effective upon filing with the Registrar of Corporations, subject to the approval of the Attorney General and the concurrence of the Governor.

Civil Service Commission
P.O. Box 5150 CHRB
Saipan, MP 96950

Building No. 1211, Capitol Hill
Facsimile: (670) 322-3327

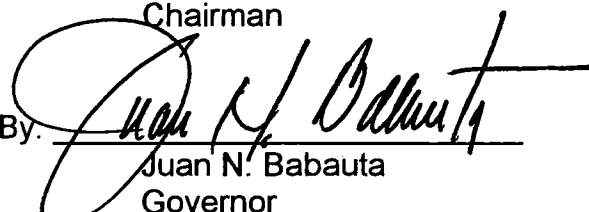
Date: July 16, 2002

Submitted By: _____

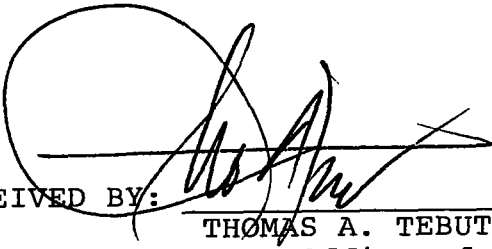

Vicente M. Sablan
Chairman

Date: 9/23/02

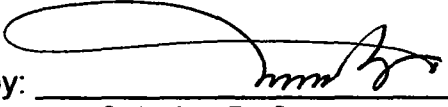
Approved By: _____


Juan N. Babauta
Governor

DATE: 9/24/02

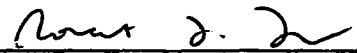
RECEIVED BY: 
THOMAS A. TEBUTEB
SAA, Office of the Governor

Date: 9/24/02

Filed by: 
Soledad B. Sasamoto
Registrar of Corporations

Pursuant to 1 CMC §2153, as amended by PL10-50, the following rules and regulations have been reviewed and approved as to form and legal sufficiency by the CNMI Attorney General's Office.

Dated: 8/15/02

By 
Robert T. Torres
Attorney General

CIVIL SERVICE COMMISSION

NOTICE OF RULE IMPLEMENTATION OF FINANCIAL AUSTERITY MEASURES

Statutory Authority: 1 CMC §8117 and Personnel Service System Rules and Regulations Part XII.A

Short Statement of Goals and Objectives: Partial suspension of austerity measures

Brief summary of the Rule: The reinstatement of Personnel Service System Rules and Regulations Part IV.B5, B6, B7, B8, B12 & B15 in respect to employees in federally funded positions.

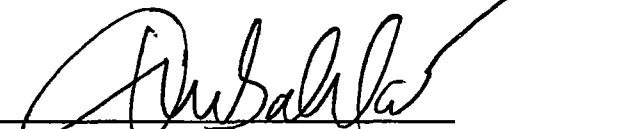
For Further Information Contact: Norbert S. Sablan, Executive Director
Civil Service Commission
Building Number 1211, Capitol Hill
Phone 322-4363 Fax 322-3327

Citation of Related and Affected Statutes & Regulations: Personnel Service System Rules and Regulations Part IV.B5, B6, B7, B8, B12 & B15.

Need for Emergency Adoption: Yes. Based on Governor's Directive No. 219, an emergency exists

Date: July 16 , 2002

Submitted by:




Vicente M. Sablan, Chairman
Civil Service Commission

**COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS
CIVIL SERVICE COMMISSION**

**RULE
IMPLEMENTATION OF FINANCIAL AUSTERITY MEASURES**

The provisions of the Personnel Service System Rules and Regulations that require increases in employees' salaries due to permanent or temporary promotions, acting or detail assignments, reallocation or reclassification of positions, and step increases based on attendance at workshops or other training programs, Personnel Service System Rules and Regulations Part IV.B5, B6, B7, B8, B12 & B15, are hereby reinstated as they existed prior to November 14, 2001 in respect to employees in federally funded positions. Expiration of the suspension will not entitle employees to retroactive salary adjustments for salary increases suspended by the November 14, 2001 Rule suspending Personnel Service System Rules and Regulations Part IV.B5, B6, B7, B8, B12 & B15.

Dated: July 16, 2002



Vicente M. Sablan, Chairman
Civil Service Commission

DIRECTIVEDATE: 20 JUN 2002
No. 219

TO: All Department and Activity Heads

FROM: Governor

SUBJ.: Exemption of Federally Funded Positions from Expenditure Controls

Governor's Directive No. 215, dated January 31, 2002, and the imposition of the financial austerity measures in Part XII.A1 of the *Personnel Service System Rules and Regulations (PSSR&R)*, effected on February 28, 1999, by amendment to the regulations, placed restrictions and controls on employment actions that involved increased financial expenditures and obligations. There was no distinction made in the *PSSR&R* amendment between locally and federally funded positions. The Directive also restricted federally-funded travel and used all-inclusive language for personnel actions, contracts and other expenditure categories.

A review of these restrictions on expenditures has shown that it would be in the best interest of the Commonwealth to exempt federally funded positions from the full effect of these controls. As federally funded positions draw on funds provided to the Commonwealth for specific programs, the availability of these funds is based upon an approved budget submission to the federal government. These funds cannot be reprogrammed for other uses and will, in most cases, be lost, if not used. In fact, the failure to use these funds to their full budgeted extent could result in the Commonwealth later having to support the activity with locally appropriated funds.

Accordingly, I am exempting federally funded positions from the expenditure controls established by Governor's Directive No. 215, and from the austerity measures imposed in Part XII.A1 of the *Personnel Service System Rules and Regulations*. Approval for employment actions for federally funded positions that involved increased financial expenditures and obligations must still receive the approval of the Office of the Governor, as required by Governor's Directive No. 215. Approval will be based upon the Grantor's approval (budget, special approval, etc.), the availability of budgeted federal funds, the operational need and the administrative appropriateness of the transaction. This exemption does not include any position, travel or action where local funds are required in addition to the federal funding.

Heads of departments and activities that include federally funded positions and programs are reminded that this exemption does not change the fact that the Commonwealth is still in a period of financial difficulty. Federal funds, as well as local funds, must be expended wisely, in a manner that will provide the Commonwealth with the greatest benefit.



JUAN N. BABAUTA

RECEIVED
Office of the Attorney General
Civil Division
Date: 06.24.02
Time: 8:10 am
Rec'd by: JDC